

COMMON COUNCIL SPECIAL MEETING MINUTES

MONDAY, JANUARY 22, 2007 – 6:00 P.M.
COUNCIL CHAMBERS/CITY HALL/ONE CIVIC SQUARE

MEMBERS PRESENT:

Mayor James Brainard, Council President Joseph C. Griffiths, Council Members Richard L. Sharp, Kevin Kirby, Brian D. Mayo, Ronald E. Carter, Mark Rattermann, Fredrick J. Glaser, Clerk-Treasurer Diana L. Cordray and Deputy Clerk-Treasurer Lois Fine.

Mayor Brainard called the meeting to order at 6:02 p.m.

Councilor Mayo pronounced the Invocation.

Mayor Brainard led the Pledge of Allegiance.

RECOGNITION OF CITY EMPLOYEES AND OUTSTANDING CITIZENS:

There were none.

APPROVAL OF MINUTES:

Councilor Mayo made a motion to approve the Minutes of the January 8, 2007 Special Meeting. Councilor Carter seconded. There was no Council discussion. Council President Griffiths called for the question. The Minutes were approved 7-0.

RECOGNITION OF PERSONS WHO WISH TO ADDRESS THE COUNCIL:

Marnin Spigelman 11816 Harvard Lane, Carmel, IN
(presented 60 additional pages of signatures, representing 24 Carmel communities, opposed to Ordinance Z-500-06 to the Council). Also spoke in opposition to Ordinance Z-501-07 (Legacy PUD project).

Susan Guilkey 3959 N. Central Avenue, Indianapolis, IN
Made a presentation of Girls Inc. of Hamilton County to the Council

COUNCIL, MAYORAL AND CLERK-TREASURER COMMENTS/OBSERVATIONS:

Mayor Brainard responded to Mr. Spigelman's concerns regarding police and fire protection for the proposed Legacy project.

ACTION ON MAYORAL VETOES:

There were none.

CLAIMS:

Councilor Mayo made a motion to approve the claims in the amount of \$1,883,365.08. Councilor Carter seconded. There was no Council discussion. Council President Griffiths called for the question. Claims were approved 7-0.

COMMITTEE REPORTS:

Councilor Kirby reported that the Finance, Administration and Rules Committee had not met.

Councilor Sharp reported that the Land Use, Annexation and Economic Development Committee met and discussed Ordinance Z-501-07 which was forwarded, with proposed amendments, to the full Council with a 2-1 favorable recommendation.

Councilor Carter reported that the Parks, Recreation and Arts Committee had not met.

Councilor Mayo reported that the Utilities, Transportation and Public Safety Committee had not met.

OLD BUSINESS

Fourth Reading of Ordinance Z-500-06; An Ordinance of the Common Council of the City of Carmel, Indiana, Establishing the Park Place (Retirement Community) Planned Unit Development District (Guilford Road and 116th Street); Sponsor: Councilor Sharp. (Land Use, Annexation and Economic Development Committee 1/11/07, continuance requested until 2/8/07). This item was not discussed.

Council President Griffiths announced the **Second Reading of Ordinance Z-501-07;** An Ordinance of the Common Council of the City of Carmel, Indiana, Establishing the Legacy Planned Unit Development District (146th and River Road). Councilor Sharp presented amended VERSION A, January 16, 2007 to Council for consideration and made a motion to amend Ordinance Z-501-07. Councilor Kirby seconded. There was no Council discussion. Council President Griffiths called for the question. The motion to amend Ordinance Z-501-07 was approved 7-0. There was brief Council discussion. Councilor Glaser referred to Steve Pittman representing Pittman Partners and Platinum Properties for clarification. Council President Griffiths passed the gavel to Councilor Mayo to address the Council. Councilor Sharp made a motion to approve Ordinance Z-501-07, As Amended. Council President Griffiths seconded. Councilor Mayo called for the question. **Ordinance Z-501-07, As Amended, VERSION A, January 16, 2007** was adopted 6-1 (Councilor Rattermann opposed).

Council President Griffiths reclaimed the gavel from Councilor Mayo.

Councilor Sharp made a motion to Add-On Ordinance D-1843-07 to the agenda. Councilor Carter seconded. There was no Council discussion. Council President Griffiths called for the question. The motion to Add-On Ordinance D-1843-07 to the agenda was approved 7-0.

PUBLIC HEARINGS

There were none.

NEW BUSINESS

Council President Griffiths announced the **First Reading of Ordinance D-1841-07**; An Ordinance of the Common Council of the City of Carmel, Indiana, Enacting and Adopting a Supplement to the Code of Ordinances of the City of Carmel, Indiana (Third Quarter). Councilor Mayo made a motion to move this item into business. Councilor Glaser seconded. Councilor Glaser presented this item to Council. There was no Council discussion. Councilor Mayo made a motion to suspend the rules and not send this item to Committee and vote this evening. Councilor Sharp seconded. There was no Council discussion. Council President Griffiths called for the question. The motion was approved 7-0. There was no Council discussion. Council President Griffiths called for the question. **Ordinance D-1841-07** was adopted 7-0.

Council President Griffiths announced the **First Reading of Ordinance D-1842-07**; An Ordinance of the Common Council of the City of Carmel, Indiana, Amending Chapter 8, Article 5, Section 8-47(a), of the Carmel City Code by Adding an Additional Sub-Paragraph Thereto (No Parking Areas). Councilor Carter made a motion to move this item into business. Councilor Kirby seconded. Councilor Carter presented this item to Council. There was no Council discussion. Council President Griffiths referred Ordinance D-1842-07 to the Utilities, Transportation and Public Safety Committee for further review and consideration.

ADD-ON

Council President Griffiths announced the **First Reading of Ordinance D-1843-07**; An Ordinance of the Common Council of the City of Carmel, Indiana, Regulating Massage Establishments and Massage Technicians; Sponsor(s): Councilor(s) Sharp and Carter. Councilor Kirby made a motion to move this item into business. Councilor Sharp seconded. Councilor Sharp referred to Jennifer Irving, President Indiana Chapter, American Massage Therapy Association, 5720 E. Gregory Road, Eaton, IN 47338 to present this item to Council. There was brief Council discussion. City Attorney, Doug Haney, addressed the Council. Council President Griffiths referred Ordinance D-1843-07 to the Land Use, Annexation and Economic Development Committee for further review and consideration.

OTHER BUSINESS

City Council Appointments

Carmel-Clay Public Library Board of Trustees (term expires 12/31/07) one appointment

There were no nominations. This item will again be placed on the Council agenda for the February 5, 2007 meeting.

ANNOUNCEMENTS

There were none.

EXECUTION OF DOCUMENTS

Mayor Brainard adjourned the meeting at 7:13 p.m.

ADJOURNMENT

Respectfully submitted,

Clerk-Treasurer Diana L. Cordray, IAMC

Approved,

Mayor James Brainard

ATTEST:

Clerk-Treasurer Diana L. Cordray, IAMC